

# S U M M A R Y   A C T I O N   M I N U T E S



## REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

*Tuesday, February 4, 2003, 9:30 A.M.*

BOARD HEARING ROOM, FIRST FLOOR  
10 Civic Center Plaza  
Santa Ana, California

**THOMAS W. WILSON**  
CHAIRMAN  
Fifth District

**JAMES W. SILVA**  
VICE CHAIRMAN  
Second District

**CHARLES V. SMITH**  
SUPERVISOR  
First District

**BILL CAMPBELL**  
SUPERVISOR  
Third District

**CHRIS NORBY**  
SUPERVISOR  
Fourth District

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	James D. Ruth, Interim CEO
	COUNTY COUNSEL	Benjamin P. de Mayo
	CLERK OF THE BOARD	Darlene J. Bloom

INVOCATION: Supervisor Smith, First District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Norby, Fourth District, led the assembly in the Pledge of Allegiance

### **I. PRESENTATIONS/INTRODUCTIONS**

Chairman Wilson presented a resolution commending Children's Creative Festival for their numerous contributions to local schools and thanking volunteers who support Fun With Chalk festival

Chairman Wilson presented a resolution in recognition of "Congenital Heart Defect Awareness Day"

### **II. CONSENT CALENDAR (Items 1-20)**

12345 **APPROVED AS RECOMMENDED WITH EXCEPTION OF ITEMS 13 & 18 WHICH WERE CONTINUED TO 2/11/03, 9:30 A.M.**

### **BOARD APPOINTMENTS**

1. **Supervisor Norby** - Regional Recreational Trails Advisory Committee - Appoint J. Vincent Buck and Dennis F. Bean, Fullerton, for terms ending 1/8/07

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## COMMENDATIONS/PROCLAMATIONS

2.      **Chairman Wilson** - Adopt resolution supporting Arts Orange County in their goals and renewing their designation as County's official local arts agency  
*RESO: 03-032*

## HEALTH CARE AGENCY

3.      Approve licenses with Cedar Fair LP, Crystal Cathedral Ministries and Anaheim for office space and parking lots for use in event of bio-terrorism emergency; and make California Environmental Quality Act findings - Districts 1 & 4
4.      Approve lease with Newport Beach for office space for water quality testing; and make California Environmental Quality Act findings - District 2

## PUBLIC FACILITIES AND RESOURCES DEPARTMENT

5.      Adopt resolution certifying completion of street improvements and street lights; authorizing release of securities; and accepting public street improvements, Tract 15910, Hampton Road Associates, LLC, Ladera Ranch area - District 5  
*RESO: 03-033*
6.      Authorize release of security for street improvements, street lights, landscaping and monumentation, Tract 15752, Shea Homes Limited Partnership, Aliso Viejo - District 5
7.      Authorize release of security for street improvements, street lights and monumentation, Tract 15759, Shea Homes Limited Partnership, Aliso Viejo - District 5
8.      Adopt resolution certifying completion of street improvements and street lights; authorizing release of securities; and accepting public street improvements, Tract 15901, Reston Associates, LLC, Ladera Ranch area - District 5  
*RESO: 03-034*
9.      Adopt resolution certifying completion of street improvements and street lights; authorizing release of securities; and accepting public street improvements, Tract 15911, Reston Associates, LLC, Ladera Ranch area - District 5  
*RESO: 03-035*
10.     Adopt resolution certifying completion of street improvements and street lights; authorizing release of securities; and accepting public street improvements, Tract 15912, Hampton Road Associates, LLC, Ladera Ranch area - District 5  
*RESO: 03-036*
11.     Approve agreement D02-061 with DMB Ladera, LLC for widening of Antonio Parkway Wildlife Crossing - District 5
12.     Accept work with All American Asphalt for asphalt overlay resurfacing, Santiago Canyon Road; project completed 4/9/02 (\$631,761.78) - District 3

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13. Approve agreement D01-077 with Orange Unified School District for construction improvements, Santiago Canyon Road; approve plans and special provisions and set bid opening for 3/12/03, 2:00 p.m.; and make California Environmental Quality Act findings - District 3

12345 **CONTINUED TO 2/11/03, 9:30 A.M.**

14. **Acting as the Orange County Flood Control District** - Accept work with K. A. S. Equipment & Rental, Inc. for Sulphur Creek Dam Spillway Channel reconstruction, Laguna Niguel Regional Park; project completed 11/15/02 (\$190,849.17) - District 5

## **SOCIAL SERVICES AGENCY**

15. Approve Memorandum of Understanding with San Diego County for APS CarePlan and Intake Applications and technical support (\$10,000) - All Districts

## **PUBLIC PROTECTION**

### **Sheriff-Coroner:**

16. Approve price agreement N1000005007 with Brandenlayne LLC for technical oversight of proprietary mobile data computer software system design, implementation and management, 2/9/03 - 2/8/04 (\$98,750); renewable for two additional years - All Districts
17. Approve Hold Harmless and Indemnity agreement with Department of Navy for use of Naval Special Warfare Range 116 for SWAT Team training, Marine Corps Base Camp Pendleton - All Districts

## **GENERAL ADMINISTRATION**

### **County Executive Office:**

18. Approve cooperative agreement with U.S. Army Corps of Engineers for Feasibility Study of Coyote and Carbon Creeks Watersheds; and direct CEO and County departments to provide assistance as necessary - All Districts (Continued from 12/17/02, Item 66, 1/14/03, Item 67; 1/28/03, Item 33)
- 12345 **CONTINUED TO 2/11/03, 9:30 A.M.**
19. Approve resolution urging the California Legislature to reject the Governor's proposed shift of local Vehicle License Fee revenues and to honor the 1998 commitment to restore the Vehicle License Fee - All Districts (Continued from 1/28/03, Item S48E)  
*RESO: 03-037*
20. Approve Orange County Comprehensive Economic Development Strategy 2001-02 Annual Report - All Districts

**END OF CONSENT CALENDAR**

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## III. DISCUSSION ITEMS (Items 21-29)

### COMMUNITY SERVICES AGENCY

21.        Approve amendment 4 to agreement #00-H222 with City of Hawthorne to serve dislocated workers from aerospace, defense and airline related industries, extending term to 6/30/03 - All Districts  
21345     **APPROVED AS RECOMMENDED**

### HEALTH CARE AGENCY

22.        Approve lease with Ortega Properties, Inc. for office space for Maternal and Child Health Clinic and Field Nursing Office, San Juan Capistrano; and make California Environmental Quality Act findings - District 5  
51234     **APPROVED AS RECOMMENDED**
23.        Approve agreement with Santa Ana for animal care shelter services, 2/5/03 - 6/30/03 - District 1  
12345     **APPROVED AS RECOMMENDED**

### PUBLIC FACILITIES AND RESOURCES DEPARTMENT

24.        **Acting as the Board of Supervisors and the Orange County Flood Control District** - Authorize submission of updated Drainage Area Management Plan (2003 DAMP) to the Santa Ana and San Diego Regional Water Quality Control Boards in compliance with the requirements of the municipal National Pollutant Discharge Elimination System (NPDES) permits; adopt Negative Declaration #IP02-215; and make California Environmental Quality Act and other findings - All Districts  
B.O.       **CONTINUED TO 2/11/03; 9:30 A.M.**

### GENERAL ADMINISTRATION

#### **County Executive Office:**

25.        Approve submission of grant application to U.S. Department of Justice, Office of Justice Programs for Safe Havens: Supervised Visitation and Safe Exchange Grant Program (\$350,000) - All Districts  
31245     **APPROVED AS RECOMMENDED**
26.        Receive and file 2003 Orange County Community Indicators Report - All Districts  
41235     **APPROVED AS RECOMMENDED**
27.        Approve FY 2002-2003 Second Quarter Budget Report; amend master position control and related budget adjustments - All Districts (4/5 vote)  
41235     **APPROVED AS RECOMMENDED**
28.        Approve 2003 County of Orange Legislative Platform - All Districts (Continued from 1/28/03, Item 47)  
52134     **APPROVED RECOMMENDED ELEMENTS 1 & 2 AND CONTINUED RECOMMENDED ELEMENT 3, LEGISLATIVE POLICY GUIDELINES TO 2/25/03, 9:30 A.M. (SUPERVISOR NORBY OPPOSES PROPOSED LEGISLATION ON PAGE 15 RE: HOUSING & COMMUNITY DEVELOPMENT USE OF EXCESS SURPLUS REDEVELOPMENT FUNDS)**

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29.     **Treasurer-Tax Collector** - Adopt resolution authorizing issuance of Centralia School District General Obligation Bonds, Election of 2002, Series A; and approve related documents (\$12,000,000) - Districts 2 & 4

41235   **APPROVED AS RECOMMENDED**

*RESO: 03-038*

## **IV. PUBLIC HEARINGS (None)**

## **V. CLOSED SESSION (Items CS-1-SCS4)**

### **County Counsel:**

- CS-1.     CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a). Name of Cases: William Jefferson & Co., Inc. v. County of Orange, et al., OCSC Case No. 03CC01531; County of Orange v. Orange County Assessment Appeals Board No. 3, OCSC Case No. 00CC03385
- B.O.     **HELD, THE CLERK READ: THE BOARD BY UNANIMOUS VOTE, AUTHORIZED COUNTY COUNSEL TO FILE AN APPEAL IN THE CASE OF COUNTY OF ORANGE V. ASSESSMENT APPEALS BOARD NO. 3, AND AUTHORIZED THE ASSESSOR AND TREASURER-TAX COLLECTOR TO PURSUE THEIR RESPECTIVE POSITIONS ON BEHALF OF THE COUNTY ON APPEAL. THE BOARD ALSO AUTHORIZED THE ASSESSOR AND TREASURER-TAX COLLECTOR TO UTILIZE, IN THE NEW CASE OF WILLIAM JEFFERSON & CO., INC. V. COUNTY OF ORANGE, THE LAW FIRMS PREVIOUSLY RETAINED TO REPRESENT THEM IN THE ASSESSMENT APPEALS BOARD NO. 3 CASE. REPRESENTATION OF THE ASSESSOR AND TREASURER-TAX COLLECTOR IN BOTH CASES ARE TO REMAIN WITHIN THE PREVIOUSLY-AUTHORIZED BUDGETARY LIMITATIONS.**
- CS-2.     CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a). Name of Case: Valerie Gallegos v. County of Orange, AHM0062086; AHM0064968; Unassigned
- B.O.     **HELD, THE CLERK READ: THE BOARD BY UNANIMOUS VOTE, APPROVED PROPOSED SETTLEMENT IN THE CASE OF VALERIE GALLEGOS V. COUNTY OF ORANGE. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF THE CLERK OF THE BOARD TO ANY PERSON WHO INQUIRES.**

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- CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to Government Code Section 54956.9(a): Name of Cases: In re Bankruptcy of UAL Corporation, et al., U.S. Bankruptcy Court for the Northern District of Illinois, Case No. 02-B-48191, and In re Bankruptcy of International Total Services, Inc., et al., U.S. Bankruptcy Court for the Eastern District of New York, Case No. 01-21812 (CD)
- B.O. **HELD, THE CLERK READ: THE BOARD BY UNANIMOUS VOTE, AUTHORIZED COUNTY COUNSEL TO RETAIN THE FIRM OF FOLEY AND LARDNER TO REPRESENT THE COUNTY IN THE CASES OF IN RE BANKRUPTCY OF UAL CORPORATION AND IN RE BANKRUPTCY OF INTERNATIONAL TOTAL SERVICES, INC. AND TO EXECUTE THE JOINT LITIGATION AGREEMENT IN THE UAL CASE AND TO EXECUTE THE STANDARD COUNTY AGREEMENT FOR LITIGATION COUNSEL IN THE INTERNATIONAL TOTAL SERVICES CASE.**
- SCS4. **County Executive Office** - CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Government Code Section 54957.6: Agency Negotiator: Susan Paul Employee Organization: Orange County Management Association
- B.O. **HELD, NO REPORTABLE ACTION**

## **VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT**

### **PUBLIC COMMENTS:**

Charles Griffin - Oral Re: Approach federal government to operate federal airports as revenue source

Deloris Moore - Oral Re: Lack of funds and programs for Orange County Mental Health System

### **BOARD COMMENTS:**

Board Members - Oral Re: Welcomed Supervisor Campbell and Interim CEO Jim Ruth

### **ADJOURNED: 12:10 P.M**

15234 Adjourned in memory of Marfa Bennett

52341 Adjourned in memory of Jay W. Hubbard

# S U M M A R Y   A C T I O N   M I N U T E S

\*\*\* KEY \*\*\*

## *Left Margin Notes*

1. ✓ Supervisor Smith
2. ✓ Supervisor Silva
3. ✓ Supervisor Campbell
4. ✓ Supervisor Norby
5. ✓ Chairman Wilson

## *Right Margin Notes*

- |                  |                 |
|------------------|-----------------|
| A. ✓ Abstained   | O. ✓ Ordinance  |
| X. ✓ Excused     | R. ✓ Resolution |
| N. ✓ No          |                 |
| BO ✓ Board Order |                 |

*Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)*

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*THOMAS W. WILSON, CHAIRMAN*  
*Orange County Board of Supervisors*

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*DARLENE J. BLOOM*  
*Orange County Clerk of the Board*